

**OFFICIAL MINUTES OF THE
WEBB COUNTY COMMISSIONERS COURT
MEETING OF MARCH 25, 2002
LAREDO, TEXAS**

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 A.M. at the regular meeting place with the following members present to wit:

**Mercurio Martinez, Jr.
Jerry Vasquez
Judith Gutierrez
Felix Velasquez
Miguel Urdiales**

**County Judge
Commissioner Prct. #1
Commissioner Prct. #2
Commissioner Prct. #3
Commissioner Prct. #4**

Thus constituting a quorum, the Commissioners Court proceeded to act upon the agenda as posted in the meeting notice of the 21st of March 2002. Present was Selina G. Reyes, Deputy County Clerk, representing Mr. Henry Flores, Ex-Officio Clerk of the Commissioners Court, various officers and others interested in the business of the court.

02-03-140

1. Call to Order – Judge Martinez
Invocation – Mr. Chuck Owen
Pledge of Allegiance – said by all

02-03-141

2. Minutes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to accept the minutes as submitted.

A motion was made by Commissioner Gutierrez and seconded by Commissioner with all voting “Aye”, in favor to move up item 02-03-144 5. Proclamations –

Ms. Aliza Oliveros, Head Start Director came before the court to introduce children representing several of the Head Start centers.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to accept a Proclamation designating “April as Head Start month.

02-03-142

3. Communications –

Postponed – “Update on LISD’s Standards & Facilities Construction Program”

Commissioner Velasquez voiced his concerns regarding a proposed landfill which would be situated in Prct. #3.

A motion was made by Commissioner Velasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to instruct the County Attorney to prepare a Resolution opposing a proposed landfill in Prct. 3.

Mr. Joe Guerra, City Councilman expressed the City Council’s position on the proposed landfill.

For the record, Mr. Guerra submitted a memorandum from Jim Earhart, Ph.d, Executive Director Rio Grande International Study Center.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to move up item 03-02-145 6. – f. }

Status Report / 5th Bridge Project –

Mr. Carlos Villarreal, Executive Administrator came before the court to present an update on the 5th Project.

Each Commissioner expressed their views on the 5th Bridge Project.

03-03-143

4. Approval of Bills, Payroll and Monthly Reports –

Mr. Jorge Flores, Interim Treasurer presented his report at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve to pay the list of bills as presented and payroll for the following dates 2/25, 3/1, 3/15, 3/29 and 4/12.

Auditor’s Report –

Mr. Leo Flores, County Auditor came before the court to present his report at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to move up item 03-02-145 6. – b 2. }

Presentation / Audited General Purpose Financial Statements for Webb County –

Mr. Gerardo Mejia, Baum & Mejia & Co., Certified Public Accountants came before the court to present the Audited General purpose Financial Statements of Webb County for Fiscal Year ended September 30, 2001.

Tax Assessor-Collector –

Ms. Patricia A. Barrera, Tax Assessor-Collector presented the MVD and Ad Valorem reports at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to accept all reports as submitted.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to move up item 03-03-149 10. – i. }

Partnership Agreement / “Nosotros Net Consortium” –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to enter a Partnership Agreement with Laredo Community College, City of Laredo, Mercy Health center, United Independent School District, Laredo Independent School District and the South Texas Workforce Development Board, hereinafter referred collectively as the “Nostoros Net Consortium. the funds provided by the Consortium will allow the Consortium to file an application for a Community Networking Plan with the Telecommunications Infrastructure Fund Board of Texas for equipment and services that Webb County will use to support the various Webb County Community centers as public access sites.

** Items 6. – b. thru 7. – c } Commissioner Vasquez and Commissioner Velasquez stepped out.

03-02-145

6. – b. Webb County Auditor –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the extension of the term of a Lease Agreement between Paul Garza d/b/a/ Garza Properties and Webb County (County Auditor) on property known as Sunrise Plaza Suite # 7 at 1403 Seymour for three months from March 30, 2002 to June 30, 2002 at the same monthly rent of \$ 4,300.00.

6. – c. Head Start Program –

A motion was made by Commissioner Urdiales and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to fill the following slots:

Slot # 1807 and # 1659 (Teacher Assistant) at \$ 616.68 bi-weekly and slot # 1702, 1699 and 1701 (Substitute Teachers) at \$ 6.76 an hour 915 hours a week) effective march 25, 2002.

6. – d. Water Utilities -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to fill slot # 1305 (Water Plant Operator II) at \$ 10.26 an hour (15 hours a week) effective march 25, 2002.

6. – e. Webb County Road & Bridge –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve to fill the following slots:

Slot #667 (Water Truck Drive) at \$ 9.39 an hour
Slot #669 (Maintenance Aide) at \$ 7.82 an hour
Slot #700 (Maintenance Aide) at \$ 7.82 an hour
Slot #1896 (Maintenance Aide) at \$ 8.62 an hour
Slot# 1898 (Equipment Operator) at \$ 8.62 an hour

6. – g. Planning Department –
1.,2. & 3.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the following items:

Ratify “Certification regarding compliance with Plat Requirements and the connection of utilities to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (2) Lot 6, J.M. Garcia Subdivision, 4.388 acres, Oilton, Texas (electricity – one dwelling only)

Connection(s) qualifying under Section 232.029 (2) Tract 53, Hillside Acres (electricity-one dwelling) only

Connection(s) qualifying under Section 232.029 (i) Tract 339, Ranchitos Las Lomas II (electricity – one dwelling only) and;

Issue a “Certificate of No Plat Required” pursuant to the exemption provision of the Webb County Subdivision regulations under Section XIV, Subsection 1.A (2) for a 9.1303 acre tract, more or less, located at 21752 Mines Road. A communications tower is presently located on the site and the applicant requests an additional meter for co-location of an additional antenna and;

Issue a “Certificate of No Plat Required” pursuant to the exemption provisions of the Webb County Subdivision regulations under Section XVI, Subsection 1.A (2) for a 5.100 acre tract, more or less, out of tract 17 & 18, Las Presa Subdivision, as recorded in Volume 2, Page 220 of the Webb County Deed Records. A communications tower is presently located on the site and the applicant requests an additional meter for co-location of an additional antenna.

02-03-146

7. – a. Community Action Agency –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to submit application to the City of Laredo for Third Party Funding for the Elderly Nutrition program and the Meals on wheels program for Fiscal year 2002-2003 in the amount of: Elderly Nutrition Program \$ 28,000 and Meals on Wheels \$ 35,000 (No match required – City of Laredo funding for Fy 2001-2002 was Elderly Nutrition \$ 20,00 and Meals on Wheels \$ 18,000. Increase in number of clients served has necessitated our requesting funds to take care of increased costs as well.

7. – b. Block Grant –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve a community Services Block Grant Budget for Fiscal Year 2002 in the amount of \$ 425,907 (The CSBG is the umbrella Grant from Texas Department of housing and Community Affairs that funds the administrative and operating expenses of the CAA as a whole. CAA Advisory Board has reviewed and recommends approval).

7. – c. Re-classify Slot –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the re-classification of slot # 1852 (Social Service Clerk) from Full-Time Temporary and from \$ 7.00 an hour to \$ 8.00 an hour effective April 5, 2002 (Funding comes from Community Services Block Grant – no impact on general Fund).

Commissioner Vasquez now present .

7. – d.,e., & f. Community Action Agency Items –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to fill slot # 1218 (food delivery clerk) for the Meals On Wheels Program, part-time temporary at \$ 10.71 an hour and;

Fill slot # 1137 and # 1129 9Drivers) for El Aguila Transportation Program At \$ 8.57 an hour effective March 25, 2002 (Funding source-Rural Transportation Program – no impact on general fund) and;

Fill the following slots effective March 25, 2002:

1238 (Center Aide) FT-Permanent @ \$ 8.00 an hour

1903 (Center Aide) PT-Temporary @ \$ 6.50 an hour

1160 (Center Aide) PT-Temporary @ \$ 6.50 an hour (No impact on General Fund)

02-03-147

8. – c. Risk Management –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to fill slot # 874 (Special Projects Coordinator) at \$ 10.00 an hour effective March 25, 2002.

8. – d. Health Educations Program –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve Health Education Programs including but not limited to “Weight Watchers at Work Program”.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to amend the previous motion to place a cap of \$ 2,500.00.

8. – e. Deferred Item –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to defer this item:

Action to consider reimbursement of medical expenses incurred and considered medically necessary as per attending physician, but excluded as covered benefit under our current policy.

Commissioner Velasquez now present.

8. – f. Risk Management End of Year Report 2000-2001 –

Ms. Janie Puente, Risk Management presented the court with the end of the year report 2000-2001.

8. – g.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor regarding the Justice Center water damage claims of 8-31-01 and 3-16-02 and fund line items 001-0105-6032 and 001-0105-6032-03 in the amount of \$ 250,000.

03-02-145

6. – a. Elections Administration –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to authorize a Resolution establishing the Main and Temporary Branch Early voting polling sites for the April 9, 2002 Joint Democratic and Republican Primary Runoff Election within Webb County as per Election Code.

Mr. Oscar Villarreal, Chief Deputy Elections Administrator presented the sites and the court incorporated several changes.

02-03-148

9. – a. Purchasing Department –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to purchase computer equipment and printers from Dell in the amount of \$ 6,318.17 for the Auditors office (Acct. 627-8108-8801-Bondseries 2001).

9. –b. Purchase of Radios / Motorola –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to award the approval of the purchase of radios from Motorola Inc., for the County Attorney’s Office for a total amount of \$ 2,264.50 (Acct. 001-1101-6205 Materials & Supplies).

9. – c. Telecore Digital Solutions / Sheriff’s Administration Building –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to approve \$ 3,047 (additional labor charge)

to Telecore Digital Solutions for the Sheriff’s Department Administration Building (acct. 624-8000-8601).

9. – d. Solicit Bids / Head Start Program –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to solicit bids for playground equipment, office, classroom, kitchen, medical and dental supplies for the Fall of 2002-2003 school year and expansion of four classrooms for the El Eden Subdivision for Head Start Program.

9. – e. Add Cellular Minutes / Constable Ruben Reyes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to add 250 minutes for air time for cellular service Constable Ruben Reyes, Pct. 2.

9. – f. P-2001-01 “Data Telecommunications Distribution System” presentation by Ms. Jodi P. Bole, Consultant.

A motion was made by Commissioner Velasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to award P-2001 to Mitel.

** Commissioner Urdiales abstained from voting on this item.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to award P-2002-02 “Request for Architectural Services for the Larga Vista Community Center Expansion” to Architectura, S.A., Inc.

9. – g. Solicit bids / M.I.S. Department –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to solicit bids for one server with licenses and network switches for Administration Building for the M.I.S. Department.

02-03-149

10. – a. Interlocal Agreement / Webb Consolidated Independent School District –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to enter into a Interlocal Agreement with Webb Consolidated Independent School District to lease lots 5,7,9, and 11, Bruni Subdivision, Webb County, Texas for fifty year, at \$ 1.00 year, for the construction of a Community Center in Bruni, Texas and authorizing the County Judge to execute same.

10. – b. Utility Easement / U.I.S.D. –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept a Utility Easement from United Independent School District over Lot 9, Block 16, Rio Bravo Subdivision, Unit I and Over Lot 1, Block 19, Rio Bravo Subdivision Unit II and authorize the County Judge to sign all relevant documents.

10. – c. & d. Agreements –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into a two year Agreement with Laredo Job Corps. to provide part-time student employees for six week periods, to assist head Start with clerical duties at no cost to the county as Laredo Job Corps will pay for stipend, provide transportation and provide liability insurance for the participants and authorize the County Judge to sign all relevant documents and;

Enter into a two year Agreement with the City of Laredo to accept funding increase in the amount of \$ 15,200 for a total of \$ 34,400 from city grant funding for the Webb County Community Action Agency Homeless Prevention Program for the year 2002-2003 with the Webb County providing as in-kind match that will come from salaries of Center Coordinators, who are paid from Community Services Block Grant and authorize the County Judge to execute all relevant documents.

10. – e. Deferred Item –

A motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting “Aye”, in favor to defer this item:

Action to enter into an Interlocal agreement with Brooks County, Texas for a one year period to house Webb County Inmates in the Brooks County Detention Center at the daily housing per prisoner fee of \$ 37.50 and authorize the County Judge to execute all relevant documents.

**** Commissioner Velasquez abstained from voting on this item and Judge Martinez did not vote on this item.

Mr. Jose Salinas, Chief Administrator and Mr. Mauro Garcia, representing Brooks County addressed the court.

10. – f. Non- Financial Interlocal Agreement / Texas A & M International University –

A motion was made by Commissioner Gutierrez, and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into a Non-Financial Interlocal Agreement for a 30 month period with Texas A & M International University for the Webb County Community Action agency to provide GED and ESL Educational Services to parents of Webb County’s Head Start population as well as parents of students enrolled at Lamar, Memorial and Clark Middle Schools with all services to be performed pursuant to this Agreement being furnished on an “In-kind” basis.

10. – g. Lease Renewal Agreement –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into a Lease Renewal Agreement, for a one year period beginning April 1, 2002 and ending March 31, 2003, with the City of Laredo for office space for the Webb County Community Action Agency being Suite 7 at Building S-1 located at the Laredo International Airport, 1718 E. Calton Road, which is approximately 252 sq. ft. for a monthly rental fee of \$ 308.26 and authorize the County Judge to sign all relevant documents.

10. – h. Professional Services Agreement / Bruce Birdwell –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to enter into a 3 month Professional Services Agreement (March 18, 2002 thorough June 18, 202) with Bruce Birdwell, and approved Texas Worker’s Compensation Commission Safety Consultant, on matters relating to workers health and safety issues and requesting an exemption from Section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirement) and County Judge to sign all documents.

10. – j. Planning Department –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to accept, by Order, Right-Of-Way dedications from property owners in Rancho Penitas West Subdivision, out of the following tracts:

RANCHO PENITAS WEST

Tract	Grantee(s)
Tract 7, Unit I-A	Roel Aguirre Garcia, Juan Roel Aguirre

Tract 24, Unit II	Oscar Puente
Tract 29, Unit III	Manuel A. Torres Meza
Tract 48, Unit IV	Juan Ventura
Tract 65, Unit V	Homero Salinas and Maria del Rosario Salinas
Tract 76, Unit V	Francia Garza
Tract 78, Unit V	Jose Z. Sepulveda
Tract 81, 82, Unit V	Pedro Solano and Teresa Solano
Tract 13, Unit I-A	Rangel Serna and Leticia Serna
Tract 18, Unit III	Humberto L. Acevedo
Tract 67, Unit VI	Marcos A. Rodriguez, Jr. and Cristina G. Rodriguez
Tract 73, Unit V	Cynthia Yvonne Witt, f.k.a. Cynthia Yvonne Guerra
Tract 4, Unit VII	Reynaldo Ortiz, Roberto Ortiz and Florencio Ortiz, III
Tract 8, Unit VII	Dimas Tristan
Tract 10, Unit VII	Yolanda Palma
Tract 22, Unit VII	Antonio Martinez and Aida G. Martinez

10. – k. Appoint Committee –

Judge Martinez appointed a committee as follows:

Commissioner Vasquez – Chair
 Judge Ben Morales
 Mr. Leo Flores
 Mr. Carlos Villarreal
 Mr. Homero Ramirez
 Mr. Eloy Ramirez

to be involved in overseeing the design of the Webb County Youth Village. Upon recommendation of the County Attorney, this item will be taken in Executive Session.

10. – l., m. & n. – Deferred Items –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to **defer** these items:

Discussion and possible action to approve the following line-item transfers

From: 001-1101-5601/Adm.Travel \$ 500.00

To: 001-1101-5602/Local mileage \$ 500.00 and;

Discussion and possible action to enter into an equipment Lease Agreement GE Capital for a Toshiba Estudio 65 Digital copier and accessories to be located at the Webb County District Attorney’s Office for a thirty-six month (4/01/02 through 3/31/2005) lease in the amount of four hundred ninety five dollars (\$495.00) per month and authorizing the County Judge to sign all relevant documents and;

Discussion and possible action to enter into a Maintenance Agreement with Technicopy for a Toshiba Estudio 65 Digital Copier to be located at the Webb County District Attorney’s Office for a thirty-six month (4/01/02 through 3/31/2005) lease in the amount of one hundred fifty dollars (\$150.00) per month and authorize the Webb County Judge to sign all relevant documents.

10. – o. Interlocal Agreement / 911 Service –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “aye”, in favor to enter into a Interlocal Agreement with South Texas Development Council for the provision of Emergency 911 Service and Public Safety Answering Point Equipment and authorizing the County Judge to sign all relevant documents.

10. – p. Interlocal Agreement / Addressing Maintenance for 911 System –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to enter into an Interlocal Agreement with South Texas Development Council for the provision of Addressing and Addressing Maintenance for the 911 System and authorizing the County Judge to sign all relevant documents.

1:25 p.m.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to go into Executive Session for the following items:

02-03-147 8. – a. } Action regarding property damage claim of Robert Marshall for damage to a motor vehicle leased to Webb County that was involved in a motor vehicle accident on or about January 16, 2002 involving Constable Annette Munoz.

8. – b. } Action regarding property damage claims of Minerva Ramirez and lienholder Florida Automobile Finance Corporation for damage to a motor vehicle driven by Minerva Ramirez that was involved in a motor vehicle accident on or about January 16, 2002 with a vehicle driven by Constable Annette Munoz.

10. – k. } Discussion and possible action to enter into an Architectural Agreement with Frank Architects, Inc., for the design of the Webb County Youth Village at a cost to Webb County of 8.5% of construction cost, including any alternatives and twenty-eight thousand dollars (\$ 28,000) for a pre and post bonds needs assessment and facilities programming and County Judge to sign all relevant documents.

*****EXECUTIVE SESSION*****

1:53 p.m.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

8. – a. & b. – A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to authorize the County Attorney to negotiate a settlement on these items.

10. – k. – A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to acknowledge committee previously appointed earlier in the meeting and approve Agreement with Frank Architects, Inc. subject to Executive Session comments.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to adjourn the meeting.

